**REMARKS**

Claims 1, 4-9 and 12-16 remain pending in the application. Favorable reconsideration of the application in view of the further clarifying distinctions is respectfully requested.

*I.    REJECTION OF CLAIMS 1, 4-9 AND 12-16 UNDER 35 USC §103(a)*

Claims 1, 4-9 and 12-16 continue to stand rejected under 35 USC §103(a) based on *Takamori et al.* in view of *Suzuki*. Applicants again respectfully request withdrawal of the rejection for at least the following reasons.

Beginning on page 2 of the Office Action, the Examiner addresses applicants' previous arguments distinguishing the present invention over that of *Takamori et al.* in view of *Suzuki*. To wit, the Examiner states:

> *Response to Arguments*
>
> 2.    Applicant's arguments filed October 27, 2010 have been fully considered but they are not persuasive.
>
> The applicant argues that Suzuki does not teach " wherein the control section finds the respective presentation end times of the video and the audio of the first data stream according to the time information added to the video data and the time information added to the audio data, and wherein if the presentation end time of the audio is later than that of the video, the control section stops outputting the audio from the presentation end time of the video through the presentation end time of the audio, wherein the control section finds the respective presentation start times of the video and the audio of the second data stream according to the time information added to the video data and the time information added to the audio data, and wherein if the presentation start time of the audio is earlier than that of the video, the control section stops outputting the audio from the presentation start time of the audio through the presentation start time of the video". The examiner respectfully disagrees. Suzuki teaches that a controller looks to the time information of the video data and the audio data to ensure that they are synchronized together (column 7 lines 1 - 10).

Thus, the Examiner maintains the rejection on the basis that "*Suzuki teaches that a controller looks to the time information of the video data and the audio data to ensure that they are synchronized together* (citing Col. 7, lns. 1-10)." In this regard, applicants wish to point out that they *agree* with the Examiner's understanding. Namely, applicants agree with the Examiner that *Suzuki's* controller looks to the time information of the video data and the audio data to ensure that they are synchronized together.
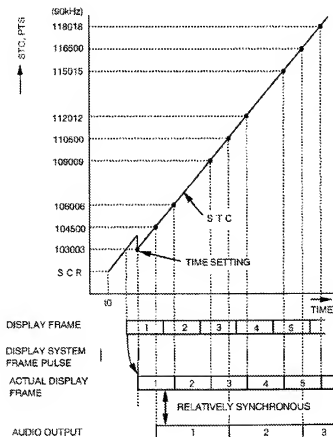
*Suzuki:*



FIG. 2

For example, Fig. 2 of *Suzuki* (reproduced above) illustrates how the actual display frame (i.e., the video) and audio output are relatively synchronous. Therefore, consistent with the Examiner's and the applicants' understanding, *Suzuki* does teach

that the controller looks to the time information of the video data and the audio data to ensure that they are synchronized together.

However, applicants again respectfully submit that such action in *Suzuki* is contrary to that which is being claimed in claims 1 and 9. Claim 1 recites how if the presentation end time of the audio is later than that of the video, the control section *stops outputting the audio* from the presentation end time of the video through the presentation end time of the audio. Similarly, claim 9 recites the step of *stopping outputting the audio* from the presentation end time of the video through the presentation end time of the audio if the presentation end time of the audio is later than that of the video.

*Suzuki* purposely *does not stop* the audio output, as this enables the controller in *Suzuki* to maintain the video output and audio output relatively synchronous. As shown in Fig. 2 of *Suzuki* and discussed at column 7, lines 11-22, for example, audio data is output from the first frame having audio PTS "104500". The audio decoder 30 outputs the output audio data 31 in completely synchronized with the system time clock (STC) 102. In other words, the output audio signal 31 is synchronized relatively and completely with the display video data 51. (Col. 7, Ins. 12-22). The audio output in *Suzuki* is *not stopped* at all, else the audio output could not be synchronized as taught in *Suzuki*.

Applicants therefore again note that the data processor/method of claims 1 and 9 rely on *stopping* outputting of the audio in the case where the presentation end time of the audio is later than that of the video, or in the case where the presentation start time of the audio is earlier than that of the video. Thus, the data processor/method of claims 1 and 9 process the data not by synchronizing the audio and video but rather by stopping the outputting of the audio in the event the presentation end time of the audio is later than that of the video, or the case where the presentation start time of the audio is earlier than that of the video.

The Examiner acknowledges that *Takamori et al.* does not explicitly teach a control section finding the respective presentation end times of the video and the audio

of the first data stream according to the time information added to the video data and the time information added to the audio data, and wherein the presentation end time of the audio is later than that of the video, the control section stops outputting the audio from the presentation end time of the video through the presentation end time of the audio. Moreover, for the reasons expressed above *Suzuki* does not make up for the deficiencies in *Takamori et al.*

Still further, applicants note that claims 1 and 9 recite the condition of whether the presentation start time of the audio is earlier than that of the video. The Examiner relies on *Suzuki* at column 6, line 25 to column 7, line 10 as teaching the condition of the presentation start time of the audio being earlier than that of the video. However, applicants are unable to find any such teaching. Should the Examiner maintain such teaching in *Suzuki*, applicants respectfully request that the Examiner point out such teaching in *Suzuki* with more particularity.

Applicants therefore respectfully submit that the modification presented by the Examiner would not have been obvious and the rejection of claim 1 should be withdrawn. Similar comments apply with respect to method claim 9. Accordingly, applicants respectfully request withdrawal of the rejection of claims 1 and 9, together with the claims dependent therefrom.

## II.    CONCLUSION

Accordingly, all claims 1, 4-9 and 12-16 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

_____/Mark D. Saralino/_____
Mark D. Saralino
Reg. No. 34,243

DATE: _____May 2, 2011_____

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

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